

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	NO. CR06-5005FDB
)	
Plaintiff,)	ORDER GRANTING
)	GOVERNMENTS'S MOTION
v.)	REGARDING WAIVER OF
)	ATTORNEY CLIENT PRIVILEGE
)	
TOMAS ZEA REYES,)	
)	
Defendant.)	
_____)	

Having reviewed the Government's Motion for an Order Regarding Defendant Tomas Zea Reyes' Waiver of His Attorney-Client Privilege, and based upon the reasons set forth in that Motion,

IT IS HEREBY ORDERED that Defendant Reyes, by raising issues related to his legal representation in the context of his motion to withdraw his guilty plea, has waived his attorney-client privilege for the purpose of litigation that motion. Accordingly, all of Reyes' attorneys in this case, with the exception of current counsel Paula Olson, are

hereby authorized to provide evidence of their conversations with Reyes concerning the search of *La Tienda La Joya* and any legal issues that may have arisen involving the search (including otherwise privileged legal conversations), by way of affidavit, testimony, or in any other form. Reyes' attorneys are also authorized to produce documents and records related to this issue in their representation of Reyes to the Government.

IT IS FURTHER ORDERED that, absent further orders from this Court, the evidence provided pursuant to this Order shall be used solely for the purpose of litigating Reyes' motion to withdraw his guilty plea, and shall not be admissible against Reyes in any other proceeding, including at any trial in this case. This Order shall remain in effect even after the Court has rule on Reyes' motion to withdraw. Both parties retain the right to apply to the Court for modification of this Order.

DATED this 28th day of September, 2007.

A handwritten signature in black ink, appearing to read 'Franklin D. Burgess', written over a horizontal line.

FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE